

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

IN THE MATTER OF THE UNITED STATES  
FOR A SEARCH AND SEIZURE WARRANT  
AND CRIMINAL COMPLAINT

No. 16-mj-2087 OPR

)

MOTION TO SEAL

Comes now the United States of America, by and through its United States Attorney, Tammy Dickinson, and Abram McGull II, Assistant United States Attorney for the Western District of Missouri, and moves this Court for an order sealing the affidavit and other documents (criminal complaint and accompanying affidavit), submitted in support of the affidavit, application for search and seizure warrant, any return of service on the search and seizure warrant, and the motion requesting sealing, and any order pertaining to this motion to seal on following grounds:

The search and seizure warrant was based, in part, upon probable cause obtained from a covert investigation such that disclosure of these documents could compromise the investigation, lead to the destruction of evidence, and endanger potential government witnesses and agents. The covert investigation is ongoing and will continue after the execution of this search and seizure warrant. Sealing these documents would be the least restrictive alternative to satisfy the ends of justice.

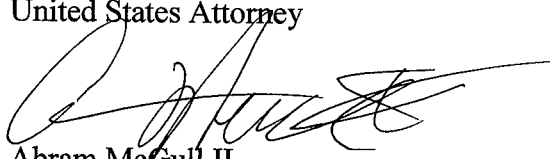
This court has the inherent power to seal affidavits in support of search warrants to protect an ongoing investigation. *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir.); *Matter of Sealed Affidavits to Search Warrants*, 600 F.2d 1256 (9th Cir. 1979). See also, *Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975).

Accordingly, for all the foregoing reasons, the United States respectfully requests that the search and seizure warrant, the application and affidavit in support of the search and seizure warrant, the search and seizure warrant return, this motion requesting sealing, and any order pertaining to this motion be sealed until further order of the Court.

Respectfully submitted,

Tammy Dickinson  
United States Attorney

By



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